

04-13-01

A

04/12/01  
 JC985 U.S. PTO

# CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2891

TELEPHONE (617) 248-5000

FACSIMILE (617) 248-4000

JC929 U.S. PTO  
 09/833327  
 04/12/01

BOX PATENT APPLICATION  
 ASSISTANT COMMISSIONER FOR PATENTS  
 WASHINGTON, DC 20231

**Express Mail No.: EL603009610US**

**Attorney Docket No.: 2003080-0081**

**(SK-719-Z)**

**Date Filed: April 12, 2001**

## **UTILITY PATENT APPLICATION TRANSMITTAL**

(FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 C.F.R. § 1.53(B))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

### **Inventor(s):**

Given Name (first and middle)	Family Name or Surname	Residence (City and State or Foreign Country)
Samuel J.	Danishefsky	Englewood, New Jersey 07631
Prashant P.	Deshpande	Plaindome, New Jersey 08536
In Jong	Kim	Seoul, Republic of Korea 156-010
Philip	Livingston	New York, New York 10021
Hyun Jin	Kim	New York, New York 10028
Govindaswami	Ragupathi	New York, New York 10028
Tae Kyo	Park	Taejon, Republic of Korea 305-380

**Title of the Invention:** *Colon Cancer KH-1 and N3 Antigens*

### **A) APPLICATION ELEMENTS:**

1) ☒ **Fee Transmittal Form** (original and duplicate submitted for fee processing)

EXPRESS MAIL NO.: EL603009610US

DATE FILED: APRIL 12, 2001

PAGE 1 OF 5

3245398\_1.DOC

2) ☒ **Applicant Claims Small Entity Status** (see 37 CFR 1.27)

a) ☒ Statement Verifying Small Entity Status (optional)

3) ☒ **Specification**

TOTAL PAGES: 144

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Field of the Invention
- Background of the Invention
- Summary of the Invention
- Description of the Drawing
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 13

a) ☒ Formal Drawings (if checked)

TOTAL SHEETS: 23

5) ☒ **Oath or Declaration**

TOTAL PAGES: 12

a) ☐ Newly Executed (original or copy)

b) ☒ Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application

i) ☐ DELETION OF INVENTOR(S): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ Unexecuted

6) ☐ **Application Data Sheet**. See 37 CFR 1.76.

7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

a) ☐ Computer Readable Form (CRF)

b) ☐ Specification Sequence Listing on:

i) ☐ CD-ROM or CR-R (2 copies); or

ii) ☐ Paper

c) ☐ Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

9) ☒ **Assignment Papers** (as filed in parent application; with cover sheet & document(s)); (Reel/Frame; 9372/0487) (12 pages)

10) ☐ **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)

11) ☒ **Power of Attorney** (in form of Notice--see below)

12) ☐ **English Translation Document** (if applicable)

13) ☒ **Information Disclosure Statement (IDS)/PTO-1449**

14) ☐ **Copies of IDS Citations**

15) ☒ **Preliminary Amendment** (7 pages)

16) ☒ **Return Receipt Postcard (MPEP 503)** (specifically itemized)

17) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)

18) ☒ **OTHER:** (if applicable, specified below)

a) (Notice Regarding Power of Attorney 1 page)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☐ CONTINUATION

☒ DIVISIONAL

☐ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/042,280

FILED: JANUARY 13, 1998

EXAMINER: S. UNGAR

GROUP/ART UNIT: 1642

**FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

**D) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:**

X Applicant claims small entity status 37 CFR 1.27

X A check in the amount of \$355.00 is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith

\_\_\_\_\_ The commissioner is hereby authorized to charge filing fees or credit any overpayment to deposit account number 03-1721.

Total filing fee amount \$355.00

**E) CORRESPONDENCE ADDRESS:**

X Customer Bar Code Label:

X Correspondence Address:



24280

PATENT TRADEMARK OFFICE

1 00000 10001 00000 10001 0001 10001

Karoline K. M. Shair  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109  
phone: (617) 248-5000  
fax: (617) 248-4000

Respectfully Submitted,

*Karoline K. M. Shair*

Karoline K. M. Shair, Ph.D.

Reg. No.: 44,332

CHOATE, HALL & STEWART  
53 State Street  
Exchange Place  
Boston, MA 02109  
Phone: (617) 248-5000  
Fax: (617) 248-4000

EXPRESS MAIL NO.: EL603009610US  
DATE FILED: APRIL 12, 2001

JOINT

**APPLICATION  
FOR  
UNITED STATES LETTER PATENT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

BE IT KNOWN, that We,

**Samuel J. Danishefsky, Englewood, New Jersey  
Prashant P. Deshpande, Plaindome, New Jersey  
In Jong Kim, Seoul, Republic of Korea  
Philip Livingston, New York, New York  
Hyun Jin Kim, New York, New York  
Govindaswami Ragupathi, New York, New York  
Tae Kyo Park, Taejon, Republic of Korea**

have invented certain new and useful improvements in **Colon Cancer KH-1 and N3  
Antigens** of which the following is a specification:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 355.00)

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Danishefsky, et al  
Examiner Name  
Group Art Unit  
Attorney Docket No. 2003080-0081

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1721  
Deposit Account Name Choate, Hall & Stewart

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$355.00)

### 2. EXTRA CLAIM FEES

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type) Karoline K. M. Shair, Ph.D. Registration No. 44,332 Telephone 617-248-5000  
Signature Karoline K. M. Shair Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.